

AMENDMENTS TO THE DRAWINGS:

The replacement sheet in the Appendix includes changes to Figure 1. This sheet, which also includes Figure 2, replaces the original sheet including Figures 1 and 2. In Figure 1, the previously omitted designation "Prior Art" has been added.

REMARKS

The specification and drawings have been amended to make editorial changes therein.

The indication that claims 3-9 include patentable subject matter is acknowledged with thanks. In reliance thereon, claims 3 and 6 have been amended into independent form by adding the subject matter of amended claim 1 thereto. Note that the last part of claim 3 has been moved to a new dependent claim as it is believed that the placement of the axle in the medial plane of the tongue is not needed to retain the patentability of amended claim 3. The art does not disclose the movable flap defined in amended claim 3. Allowance of claims 3-9 is respectfully requested.

Claims 1-12 were rejected under §112, second paragraph, and have been amended as to form bearing in mind the criticisms and requests in the Official Action. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1-2 and 10-12 were rejected as anticipated by EHLER 4,142,438. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 1 has been amended and defines a single dual reed module for an instrument of the type using two directions of air flow, that includes, for each note, a fixed single tongue carrier with a window and a tongue having one end connected to the tongue carrier and a vibrating portion in the window, as well as at

least one associated movable element disposed laterally relative to the vibrating portion and adapted to have a first position for a first direction of air flow with an interstice between the movable element and an edge of the vibrating portion so that the vibrating portion vibrates to emit a note in the first direction of the air flow, and a second position for a second direction of air flow opposite to the first direction with the interstice such that the vibrating portion vibrates to emit the same note in the second direction of air flow as in the first direction.

As is now clear, the movable element is separate from the vibrating portion of the tongue (i.e., the movable element is "disposed laterally relative to" the vibrating portion and the interstice is "between" the movable element and an edge of the vibrating portion.) EHLER does not disclose a corresponding movable element and thus the claims avoid the rejection under §102.

The statement that the prosecution on the merits (*Ex parte Quayle*) is closed is not understood as some of the claims were substantively rejected.

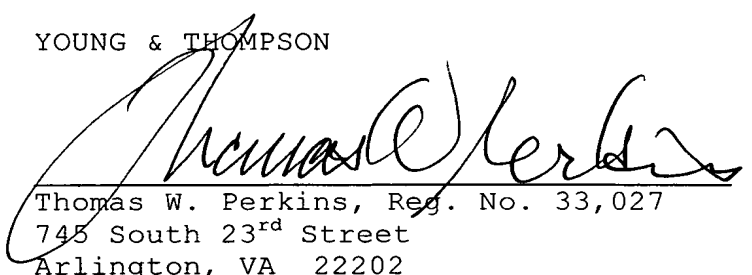
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional  
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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TWP/lk

**APPENDIX:**

The Appendix includes the following item:

- Replacement Sheet for Figure 1